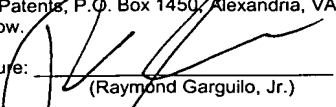


RPW

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 24, 2005      Signature:  (Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON IV  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Errico et al.

Application No.: 10/663,492

Group Art Unit: 3738

Filed: September 16, 2003

Examiner: Not Yet Assigned

For: INTERVERTEBRAL SPACER DEVICE  
HAVING ENGAGEMENT HOLE PAIRS FOR  
MANIPULATION USING A SURGICAL  
TOOL

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

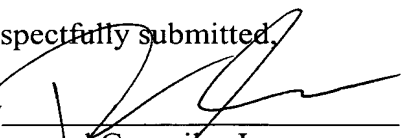
**INFORMATION DISCLOSURE STATEMENT**

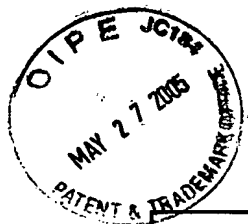
Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: May 24, 2005

Respectfully submitted,  
  
By  
Raymond Garguilo, Jr.  
Registration No.: 50,930  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Attorney for Applicant



PTO/SB/08a/b (08-03)  
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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/663,492
				Filing Date	September 16, 2003
				First Named Inventor	Joseph P. Errico
				Art Unit	3738
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	SPINE 3.0-437 CPCPCPCPCPCPC I CON IV

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-2001/0016773-A1	08-23-2001	Serhan et al.	
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Examiner Signature		Date Considered	
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				Filing Date	September 16, 2003
				First Named Inventor	Joseph P. Errico
				Art Unit	3738
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	SPINE 3.0-437 CPCPCPCPCPCP I CON IV

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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)					

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

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